

CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION

Prison Rape Elimination Act (PREA) Annual Report – Calendar Year 2016

The Federal Prison Rape Elimination Act (PREA) of 2003 was established to address the sexual abuse and sexual harassment of offenders in confinement settings. On August 20, 2012, the PREA Standards Final Rule to help prevent, detect, and respond to sexual violence, staff sexual misconduct, and sexual harassment behind bars was released, prompting the revision of the California Department of Corrections and Rehabilitation (CDCR) PREA Policy.

CDCR's PREA policy establishes zero tolerance for sexual abuse, staff sexual misconduct, and sexual harassment, and provides guidelines for the prevention, detection, response, investigation, and tracking of allegations against CDCR offenders. A further purpose of this policy is to provide guidelines for the successful community re-entry of offenders.

CDCR continues to remain diligent in investigating all allegations of sexual abuse, staff sexual misconduct, and sexual harassment against offenders. Staff and offenders are educated on the Department's zero tolerance policy and provided information on the multiple ways to report an allegation, to include third-party reporting.

DEFINITIONS:

Substantiated allegation: an allegation that was investigated and determined to have occurred.

Unsubstantiated allegation: an allegation that was investigated and insufficient evidence was obtained to determine if the allegation did or did not occur.

Unfounded allegation: an allegation that was investigated and proven not to have occurred.

Ongoing Investigation: the investigation was initiated and is continuous.

STATISTICS:

The following are statistics of reported allegations within CDCR Adult Institutions, by category:

➤ Inmate on Inmate Nonconsensual Sexual Acts

	2014	2015	2016
Substantiated	1	5	4
Unsubstantiated	103	180	159
Unfounded	21	32	64
Ongoing Investigation	2	9	44
Total:	127	226	271

Inmate on Inmate Nonconsensual Sex Acts is defined as contact of an offender by another offender without his or her consent, or by coercion, or contact of an offender who is unable to

consent or refuse AND contact between the penis and vagina or the penis and the anus including penetration, however slight, or contact between the mouth and the penis, vagina, or anus, or penetration of the anal or genital opening of another person by the hand, finger, or other object.

In 2015, the number of allegations for Inmate on Inmate Nonconsensual Sex Acts was 226. In 2016, the number of allegations for Inmate on Inmate Nonconsensual Sex Acts was 271, which equates to an increase of 20 percent.

➤ **Inmate on Inmate Abusive Sexual Contact**

	2014	2015	2016
Substantiated	3	5	5
Unsubstantiated	42	86	94
Unfounded	5	12	27
Ongoing Investigation	0	0	8
Total:	50	103	134

Inmate on Inmate Abusive Sexual Contact is defined as contact of offender by another offender without his or her consent, or by coercion, or contact of an offender who is unable to consent or refuse AND intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

In 2015, the number of allegations for Inmate on Inmate Abusive Sexual Contact was 103. In 2016, the number of allegations for Inmate on Inmate Abusive Sexual Contact was 134, which equates to an increase of 31 percent.

➤ **Inmate on Inmate Sexual Harassment**

	2014	2015	2016
Substantiated	0	3	6
Unsubstantiated	3	32	66
Unfounded	1	4	26
Ongoing Investigation	0	0	5
Total:	4	39	103

Inmate on Inmate Sexual Harassment is defined as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature, by an offender toward another offender. This definition was added to CDCR's policy in response to its inclusion in the PREA Standards.

In 2015, the number of allegations for Inmate on Inmate Sexual Harassment was 39. In 2016, the number of allegations for Inmate on Inmate Sexual Harassment was 103, which equates to an increase of 164 percent.

➤ **Staff on Inmate Sexual Misconduct**

	2014	2015	2016
Substantiated	3	5	5
Unsubstantiated	57	126	96
Unfounded	40	48	82
Ongoing Investigation	1	11	34
Total:	101	190	217

Staff on Inmate Sexual Misconduct is defined as threatened, coerced, attempted, or completed sexual contact, assault, or battery of an offender by staff. Staff is inclusive of employees, volunteers, and independent contractors assigned to an institution, community correctional facility, conservation camp, parole, or headquarters. CDCR's zero tolerance policy holds all staff accountable when it is proven they have violated the policy. Please remember, the legal concept of "consent" does not exist between staff and offenders; any sexual behavior between them constitutes sexual misconduct and subjects the staff member to disciplinary action and/or to prosecution under the law.

In 2015, the number of allegations for Staff on Inmate Sexual Misconduct was 190. In 2016, the number of allegations for Staff on Inmate Sexual Misconduct was 217, which equates to an increase of 14 percent.

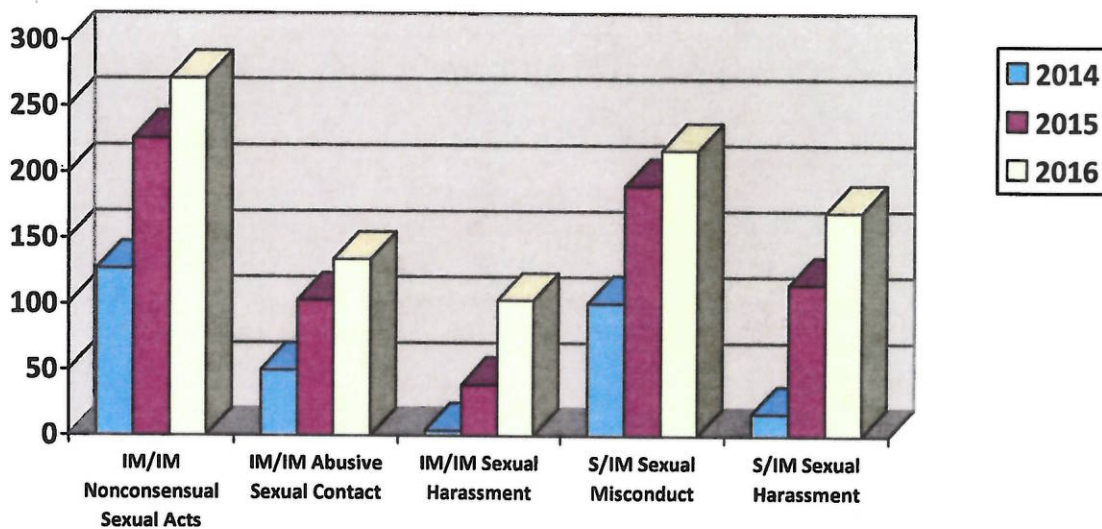
➤ **Staff on Inmate Sexual Harassment**

	2014	2015	2016
Substantiated	0	5	5
Unsubstantiated	15	84	95
Unfounded	2	25	59
Ongoing Investigation	0	1	11
Total:	17	115	170

Staff on Inmate Sexual Harassment is defined as repeated verbal comments or gestures of a sexual nature, including demeaning references to gender; sexually suggestive derogatory comments about body or clothing, or obscene language or gestures to an offender by staff member, contractor, or volunteer.

In 2015, the number of allegations for Staff on Inmate Sexual Harassment was 115. In 2016, the number of allegations for Staff on Inmate Sexual Harassment was 170, which equates to an increase of 48 percent.

Total Number of all PREA Allegations by Year and Type



[IM/IM= Inmate on Inmate; S/IM= Staff on Inmate]

SUMMARY

The percentage increase in the number of allegations is attributed to recent and updated education for inmates statewide on the revised PREA policy and additional training for all staff, volunteers, and contractors. This training included signs to watch to assist staff in identifying that an inmate may have been the victim of sexual abuse. Additionally, it is believed the dissemination of the revised CDCR PREA policy has allowed inmates to feel more confident in reporting allegations.

Some of the changes the Department has implemented during the previous calendar year include:

- Revision of the PREA Policy, Department Operations Manual (DOM) Article 44.
- Revision of various sections of the California Code of Regulations.
- Revision of PREA Training materials.
- Continued training of staff who conduct sexual abuse investigations.
- Entering into Memorandums of Understanding for circular auditing with several other states.

Some of the changes each institution has implemented during the previous calendar year include:

Avenal State Prison (ASP)

- ASP built permanent structures in front of the recreation yard toilets.
- Shower and toilet screens were constructed to help prevent opposite gender viewing.
- Work Change windows were tinted, limiting opposite gender viewing.
- Signs were placed at the entrance of every housing unit informing opposite gender staff of the responsibility to announce entry when required.
- ASP is playing the updated PREA education video in Receiving and Release (R&R) and on the inmate television channel.

California City Correctional Facility (CAC)

- CAC modified inmate showers and restrooms throughout the institution were modified with the installation of barriers or screens to help prevent opposite gender viewing.
- CAC updated the institution orientation handbook and the PREA education video, which is shown on the inmate television channel, and in R&R.
- CAC has contracted with a Rape Crisis Center which provides counseling services to survivors of sexual abuse.

California Correctional Center (CCC)

- CCC added mirrors to observe blind spots.
- CCC provided training to staff on updates to Department and local policy.
- Implemented the updated PREA education video in R&R.
- Placed movable barriers at temporary holding cell locations and yard toilets to help prevent opposite gender viewing.

California Correctional Institution (CCI)

- CCI modified showers, restrooms, outdoor urinals, and search areas with the installation of barriers/partitions to help limit opposite gender viewing.
- CCI installed additional cameras in housing unit dayroom areas.
- CCI updated the inmate PREA education video, and orientation information. The PREA video is shown on the inmate television channel, and in R&R.

California Health Care Facility (CHCF)

- CHCF modified segregation yards, showers, and restrooms by installing barriers to help limit opposite gender viewing.
- CHCF updated the inmate PREA education video, which is shown on the inmate television channel, and in R&R.
- Additional investigative staff received specialized training in conducting sexual abuse investigations.

California Institution for Men (CIM)

- CIM ordered modesty screens to limit opposite gender viewing.
- Additional investigative staff received specialized training in conducting sexual abuse investigations.
- CIM has updated the Local Operating Procedures for PREA.

California Institution for Women (CIW)

- CIW updated the PREA education video, which is shown on the inmate television channel, and in R&R.
- CIW uses peer educators (other inmates) during inmate orientation to assist inmates in understanding the PREA policy.
- CIW issued PREA information cards (as a quick reference) to all staff.

California Men's Colony (CMC)

- CMC updated the PREA education video, which is shown on the inmate television channel, and in R&R.

California Medical Facility (CMF)

- CMF installed additional video monitoring equipment in elevators, and installed permanent and removable barriers in housing units/dorm restrooms.
- CMF updated the PREA education video, which is shown on the inmate television channel, and in R&R.

California Rehabilitation Center (CRC)

- CRC updated all post orders to include language regarding opposite gender announcements.
- CRC installed permanent modesty screens/doors on recreation yard restrooms to help limit opposite gender viewing.
- CRC updated the PREA education video, which is shown on the inmate television channel, and in R&R.

California State Prison, Corcoran (COR)

- COR modified all holding cell areas with privacy curtains.
- Housing units were stenciled with reminders to staff of the responsibility to state the opposite gender announcement when required.
- COR updated the PREA education video, which is shown on the inmate television channel, and in R&R.

California State Prison, Los Angeles County (LAC)

- Receiving and Release holding cells, inmate restrooms, showers, and unclothed body search areas throughout the institution have portable barriers or curtains for inmate use allowing for modesty.
- Housing units were stenciled with reminders to staff of the responsibility to state the opposite gender announcement when required.
- LAC updated the PREA education video, which is shown on the inmate television channel, and in R&R.
- Additional investigative staff received specialized training in conducting sexual abuse investigations and staff received training regarding cross gender announcements.

California State Prison, Sacramento (SAC)

- SAC disabled the gym and recreational yard showers, and modified the Work Center showers to limit opposite gender viewing.
- SAC updated the institution orientation handbook, and updated the PREA education video, which is shown on the inmate television channel, and in R&R.

California State Prison, Solano (SOL)

- SOL modified the recreational yard toilets, housing unit restrooms, and showers by installing curtains or modesty barriers where applicable.
- Removed barriers which caused blind spots.
- SOL modified holding cells with privacy screens.
- SOL updated video equipment in R&R, and updated the PREA education video which is shown on the inmate television channel, and in R&R.
- SOL replaced video monitoring equipment on facility yards.
- SOL uses peer educators (other inmates) to assist in teaching the inmate population PREA information.

Calipatria State Prison (CAL)

- CAL installed more than 100 mirrors in multiple areas to reduce/eliminate blind spots.
- CAL installed barriers at the urinals/restrooms in housing units and program areas, yard toilet areas, and segregation yard areas.
- Moveable barriers were purchased/installed in R&R and the Medical Unit.
- Installed retractable screens to prevent cross gender viewing during unclothed body searches.
- CAL updated the PREA education video which is shown on the inmate television channel, and in R&R.
- CAL has updated the Local Operating Procedure with PREA requirements.
- CAL staff were provided PREA informational cards to carry on their person.
- Housing units were stenciled with reminders to staff of the responsibility to state the opposite gender announcement when required.

Centinela State Prison (CEN)

- CEN modified all recreational yard toilets and the central kitchen inmate restrooms by installing permanent barriers.
- Education restrooms had window privacy coverings installed.
- Ongoing training is provided to staff.
- CEN updated the PREA education video, which is shown on the inmate television channel.

Central California Women's Facility (CCWF)

- CCWF installed modesty screens in all inmate restrooms where required and in Receiving and Release.
- Gym restroom doors have been retrofitted.
- Camera survey was completed to evaluate installing additional monitoring equipment.
- CCWF updated the PREA education video which is shown on the inmate television channel, and in R&R.

Chuckawalla Valley State Prison (CVSP)

- CVSP installed privacy screens in front of all showers and created barriers at inmate restrooms allowing for modesty.
- Housing units were stenciled with reminders to staff of the responsibility to state the opposite gender announcement when required.
- CVSP updated the PREA education video which is shown on the inmate television channel, and in R&R.
- CVSP has contracted with a Rape Crisis Center which provides counseling services to survivors of sexual assault.

Correctional Training Facility (CTF)

- CTF installed privacy screens in front of showers, allowing for modesty.
- CTF updated the PREA education video, which is shown on the inmate television channel, and in R&R.

Deuel Vocational Institution (DVI)

- DVI modified housing unit showers and recreational yard toilets with barriers.
- Mirrors were installed, eliminating blind spots.
- DVI uses peer educators (other inmates) during inmate orientation to assist inmates in understanding the PREA policy.

Folsom State Prison (FSP)

- FSP installed barriers/screens at yard toilets, shower areas in the housing units, and work center.
- FSP disabled the recreation yard showers.
- Mirrors were installed to eliminate blind spots.
- FSP updated the PREA education video, which is shown on the inmate television channel.
- Post Orders were updated where needed.

High Desert State Prison (HDSP)

- HDSP placed portable barriers in housing units, dayroom toilets, vocational work area toilets, and at gym toilets to limit opposite gender viewing.
- HDSP installed permanent barriers around recreation yard toilets.
- Mirrors were installed in work areas, eliminating blind spots.
- Staff Post Orders were revised to require frequent tours.
- HDSP updated the PREA education video and orientation handbook. The video is shown on the inmate television channel, and in R&R.

Ironwood State Prison (ISP)

- ISP installed permanent barriers at the recreation yard toilets.
- ISP installed privacy screens on inmate shower openings and partitions in the urinal areas.
- Temporary holding cells were modified, allowing for modesty.

- Staff Post Orders were updated where necessary.
- ISP updated the PREA education video and orientation handbook. The video is shown on the inmate television channel.

Kern Valley State Prison (KVSP)

- KVSP installed shower doors to limit opposite gender viewing.
- KVSP updated the PREA education video and orientation handbook. The video is shown on the inmate television channel, and in R&R.

Mule Creek State Prison (MCSP)

- Moveable barriers were placed at toilets on the recreation yard area, gym, and unclothed body search areas.
- Permanent barriers were replaced on the recreation yard toilets, and in housing unit showers.
- MCSP updated the PREA education video and orientation handbook. The video is shown on the inmate television channel, and in R&R.

North Kern State Prison (NKSP)

- NKSP supplied moveable barriers/privacy screens to areas where unclothed body searches are conducted to include, visiting search areas, work change, etc. Also, yard toilets, temporary holding cells, housing unit showers, and R&R temporary holding cells were modified or supplied with moveable barriers to limit opposite gender viewing. Signs are posted when searches are being conducted.
- Supervisors are required to perform tours of their areas of responsibility to ensure compliance with the PREA standards.
- Updated the PREA education video and orientation handbook. The video is shown on the inmate television channel, and in R&R.

Pelican Bay State Prison (PBSP)

- PBSP installed barriers to limit opposite gender viewing at the showers and toilets in Minimum Facility, toilets on main yards, urinals in dayroom general population, toilets on concrete yards, holding cells in general population, SHU and R&R.
- PBSP purchased panels to block opposite gender viewing during use of urinals. Magnets are being purchased to block cross gender viewing in temporary holding cells.
- PBSP updated the orientation handbook in regards to opposite gender announcements, and updated the PREA video which is shown in R&R.
- PBSP provided training to all staff regarding the requirements of opposite gender announcement.

Pleasant Valley State Prison (PVSP)

- PVSP modified inmate restrooms and areas in the satellite dining hall and library.
- PVSP fabricated signs installing them at the entrances to housing units to remind staff about announcing opposite gender presence when entering the housing unit.

- PVSP installed window coverings or barriers to prevent opposite gender viewing at the inmate restrooms, satellite dining hall, and library.
- Convex mirrors were installed in satellite dining rooms to eliminate blind spots.
- PVSP posted additional signage from the Office of the Inspector General reflecting contact numbers for anonymous reporting.
- PVSP updated the orientation handbook.
- PVSP updated the PREA video, which is shown on the inmate television channel, and in R&R.
- PVSP is in the process of renewing its contract for Sexual Assault Forensic Examinations.

Richard J. Donovan Correctional Facility (RJD)

- Moveable modesty screens are supplied in housing units for placement in front of showers.
- Investigative staff assist in providing PREA information during staff training courses.
- PREA education video is shown on the inmate television channel, and in R&R.

Salinas Valley State Prison (SVSP)

- SVSP submitted work orders to install partitions on facility recreation yard urinals.
- SVSP updated the PREA orientation video and the orientation handbook. The video is played on the inmate television channel, and in R&R.

San Quentin State Prison (SQ)

- SQ installed privacy screens in shower areas.
- SQ plays the updated PREA orientation video, and uses inmate PREA peer educators to assist inmates in understanding the PREA information.
- SQ investigators conduct weekly briefings with staff during training, and provide additional PREA training and information.

Sierra Conservation Center (SCC)

- SCC modified yard toilets and showers with privacy barriers.
- Placed reminder signage in all buildings and stairwells to remind staff to announce opposite gender staff are present.
- SCC placed signage in unclothed body search areas to alert staff when searches are in progress.
- Placed posters in each housing unit notifying inmates of their PREA rights and anonymous toll free numbers to use in reporting PREA allegations.
- SCC updated the PREA education video, which is shown on the inmate television channel.

Substance Abuse Treatment Facility and State Prison (SATF)

- SATF placed signs in work change areas informing staff when searches are in progress.
- SATF installed portable screens at showers/toilets.
- Training was given to all staff regarding opposite gender announcements.

- SATF updated the institution's orientation handbook and the PREA education video, which is shown on the inmate television channel, and in R&R.

Valley State Prison (VSP)

- VSP modified inmate restrooms, work change windows, and visiting unclothed body search areas to prevent opposite gender viewing.
- Mirrors were installed in laundry rooms to eliminate blind spots.
- Housing units were permanently stenciled with reminders to staff of the responsibility to make an opposite gender announcement when required.
- Post Orders were amended requiring increased tours and PREA announcements.
- VSP's Local Operating Procedures for PREA were updated.
- The Inmate Orientation Handbook was amended to include PREA policy language in Spanish and English.
- VSP implemented weekly PREA meetings with management staff and institution investigators.
- VSP updated the PREA orientation video, which is on the inmate television channel, and in R&R.

Wasco State Prison (WSP)

- Permanent privacy screens were added to yard restrooms, housing unit showers, and temporary holding cell areas.
- Movable privacy screens were supplied in areas where unclothed body searches may occur.
- WSP updated the PREA Orientation video and the orientation handbook.
- WSP provided additional staff PREA training in areas with high PREA occurrences.

CDCR continues to progress in addressing sexual abuse by continually monitoring all allegations of sexual abuse, staff sexual misconduct, and sexual harassment. Each allegation is investigated by trained investigators and reviewed by the institution's hiring authority. If any issues or trends are identified, they are addressed immediately, which includes: policy modifications, procedures, education, or training.

APPROVED



SCOTT KERNAN, Secretary

10-26-17

Date